

Food and Drug Administration, HHS

§ 104.5

§ 102.50 Crabmeat.

The common or usual name of crabmeat derived from each of the following designated species of crabs shall be as follows:

Scientific name of crab	Common or usual name of crabmeat
<i>Chionoecetes opilio</i> , <i>Chionoecetes tanneri</i> , <i>Chionoecetes bairdii</i> , and <i>Chionoecetes angulatus</i>	Snow crabmeat.
<i>Erimacrus isenbeckii</i>	Korean variety crabmeat or Kegani crabmeat.
<i>Lithodes aequispina</i>	Brown King crabmeat.
<i>Paralithodes brevipes</i>	King crabmeat or Hanasaki crabmeat.
<i>Paralithodes camtschaticus</i>	King crabmeat. and Paralithodes Platypus.

[42 FR 14322, Mar. 15, 1977, as amended at 60 FR 34460, July 3, 1995]

§ 102.54 Seafood cocktails.

The common or usual name of a seafood cocktail in package form fabricated with one or more seafood ingredients shall be:

(a) When the cocktail contains only one seafood ingredient, the name of the seafood ingredient followed by the word “cocktail” (e.g., shrimp cocktail, crabmeat cocktail) and a statement of the percentage by weight of that seafood ingredient in the product in the manner set forth in § 102.5(b).

(b) When the cocktail contains more than one seafood ingredient, the term “seafood cocktail” and a statement of the percentage by weight of each seafood ingredient in the product in the manner set forth in § 102.5(b).

§ 102.55 Nonstandardized breaded composite shrimp units.

(a) The common or usual name of the food product that conforms to the definition and standard of identity described by § 161.175(c)(6) of this chapter, except that the food is made from comminuted shrimp and is not in raw frozen form, shall be “_____ made from minced shrimp,” the blank to be filled in with the words “breaded shrimp sticks” or “breaded shrimp cutlets” depending upon the shape of the product, or if prepared in a shape other than that of sticks or cutlets “breaded shrimp _____ made from minced shrimp,” the blank to be filled by a word or phrase that accurately de-

scribes the shape and that is not misleading.

(b) The words “made from minced shrimp” shall immediately follow or appear on a line(s) immediately below the other words required by this section in easily legible boldface print or type in distinct contrast to other printed or graphic matter, and in a height not less than the larger of the following alternatives:

(1) Not less than one-sixteenth inch in height on packages having a principal display panel with an area of 5 square inches or less and no less than one-eighth inch in height if the area of the principal display panel is greater than 5 square inches; or

(2) Not less than one-half the height of the largest type used in the words “breaded shrimp sticks” or the other comparable words required by this section.

§ 102.57 Greenland turbot (*Reinhardtius hippoglossoides*).

“Greenland turbot” is the common or usual name of the food fish *Reinhardtius hippoglossoides*, a species of *Pleuronectidae* right-eye flounders. The term “halibut” may be associated only with Atlantic halibut (*Hippoglossus hippoglossus*) or Pacific halibut (*Hippoglossus stenolepis*).

PART 104—NUTRITIONAL QUALITY GUIDELINES FOR FOODS

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AUTHORITY: 21 U.S.C. 321, 343, 371(a).

SOURCE: 42 FR 14327, Mar. 15, 1977, unless otherwise noted.

Subpart A—General Provisions

§ 104.5 General principles.

(a) A nutritional quality guideline prescribes the minimum level or range

of nutrient composition (nutritional quality) appropriate for a given class of food.

(b) Labeling for a product which complies with all of the requirements of the nutritional quality guideline established for its class of food may state “This product provides nutrients in amounts appropriate for this class of food as determined by the U.S. Government,” except that the words “this product” are optional. This statement, if used, shall be printed on the principal display panel, and may also be printed on the information panel, in letters not larger than twice the size of the minimum type required for the declaration of net quantity of contents by §101.105 of this chapter. Labeling of noncomplying products may not include any such statement or otherwise represent, suggest, or imply the product as being, in whole or in part, in compliance with a guideline.

(c) A product bearing the statement provided for in paragraph (b) of this section, in addition to meeting the requirements of the applicable nutritional quality guideline, shall comply with the following requirements:

(1) The label of the product shall bear the common or usual name of the food in accordance with the provisions of the guideline and §§101.3 and 102.5(a) of this chapter.

(2) The label of the product shall bear nutrition labeling in accordance with §§101.2 and 101.9 of this chapter and all other labeling required by applicable sections of part 101 of this chapter.

(d) No claim or statement may be made on the label or in labeling representing, suggesting, or implying any nutritional or other differences between a product to which nutrient addition has or has not been made in order to meet the guideline, except that a nutrient addition shall be declared in the ingredient statement.

(e) Compliance with a nutrient level specified in a nutritional quality guideline shall be determined by the procedures and requirements established in §101.9(g) of this chapter.

(f) A product within a class of food for which a nutritional quality guideline has been established and to which has been added a discrete nutrient either for which no minimum nutrient

level or nutrient range or other allowance has been established as appropriate in the nutritional quality guideline, or at a level that exceeds any maximum established as appropriate in the guideline, shall be ineligible to bear the guideline statement provided for in paragraph (b) of this section, and such a product shall also be deemed to be misbranded under the act unless the label and all labeling bear the following prominent and conspicuous statement: “The addition of _____ to (or “The addition of _____ at the level contained in) this product has been determined by the U.S. Government to be unnecessary and inappropriate and does not increase the dietary value of the food,” the blank to be filled in with the common or usual name of the nutrient(s) involved.

[42 FR 14327, Mar. 15, 1977, as amended at 63 FR 14818, Mar. 27, 1998]

Subpart B—Fortification Policy

§ 104.20 Statement of purpose.

(a) The fundamental objective of this subpart is to establish a uniform set of principles that will serve as a model for the rational addition of nutrients to foods. The achievement and maintenance of a desirable level of nutritional quality in the nation’s food supply is an important public health objective. The addition of nutrients to specific foods can be an effective way of maintaining and improving the overall nutritional quality of the food supply. However, random fortification of foods could result in over- or underfortification in consumer diets and create nutrient imbalances in the food supply. It could also result in deceptive or misleading claims for certain foods. The Food and Drug Administration does not encourage indiscriminate addition of nutrients to foods, nor does it consider it appropriate to fortify fresh produce; meat, poultry, or fish products; sugars; or snack foods such as candies and carbonated beverages. To preserve a balance of nutrients in the diet, manufacturers who elect to fortify foods are urged to utilize these principles when adding nutrients to food. It is reasonable to anticipate that the Reference Daily Intakes (RDI’s) as delineated in §101.9 of this chapter and